

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

ANWAR RANDLE, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	CIVIL NO. 08-cv-856-DRH
)	
JAMES DAVIDSON, et al.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

HERNDON, District Judge:

This matter is before the Court *sua sponte*. Plaintiffs Randle, Dismuke, Reyes, Crum, Chabitch, Turner, and Wilborn have filed a joint action pursuant to 42 U.S.C. § 1983. The Court has received motions to proceed *in forma pauperis* from each Plaintiff *except* Plaintiff Dionsio Reyes. The Court further notes that Plaintiff Reyes has not submitted the full \$350 filing fee either.

IT IS HEREBY ORDERED that, no later than July 17, 2009, Plaintiff Reyes shall pay the \$350 filing fee applicable to this action. In the alternative, Plaintiff Reyes may file a motion to proceed *in forma pauperis*, supported by a certified copy of his prison trust fund account statement for the six-month period immediately preceding the filing of the complaint and an affidavit that includes a statement of his assets. Plaintiff Reyes is **ADVISED** that in the event he has been transferred among institutions during this six-month period, it is his responsibility to obtain a copy of his prison trust account statement from each such facility and to forward it to the Court. Plaintiff Reyes is **FURTHER ADVISED** that his obligation to pay the filing fee for

this action was incurred at the time the action was filed; such an obligation will exist whether or not Plaintiff is granted leave to proceed *in forma pauperis*. 28 U.S.C. § 1915(b)(1); *see also Lucien v. Jockisch*, 133 F.3d 464, 467 (7th Cir. 1998).

IT IS FURTHER ORDERED that should Plaintiff Reyes fail to comply with this order in the time allotted, this he will be dismissed as a Plaintiff in this action for failure to comply with an order of this Court. FED.R.CIV.P. 41(b); *see generally Ladien v. Astrachan*, 128 F.3d 1051 (7th Cir. 1997); *Johnson v. Kamminga*, 34 F.3d 466 (7th Cir. 1994).

IT IS SO ORDERED.

DATED: June 18, 2009

/s/ DavidRHerndon
DISTRICT JUDGE